

FEB 0 6 2004

EXPRESS MAIL NO. EL976386558US

PATENT

OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants

: Nobuyuki Itoh et al.

Application No.

: 10/060,765

Filed

: January 29, 2002

For

: HUMAN FGF-21 GENE AND GENE EXPRESSION PRODUCTS

Examiner

: Ruixiang Li

Art Unit

: 1646

Docket No. : 60219-13/PP-16758.003

Date

: February 2, 2004

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents:

In response to the Restriction Requirement dated June 11, 2003, applicant hereby elects Group II, claims 12-18 and 22, for examination at this time.

Also enclosed is a Petition to Revive for Unintentional Abandonment. Consideration of the elected claims is now requested.

> Respectfully submitted, Nobuyuki Itoh et al.

DAVIS WRIGHT TREMAINE LLP

ane E. R. Potter

Registration No. 33,332

2600 Century Square 1501 Fourth Avenue Seattle, WA 98101-1688 Phone: (206) 628-7650

Phone: (206) 628-7650 Facsimile: (206) 628-7699